

225513
225515

SLOVER & LOFTUS LLP

ATTORNEYS AT LAW

1224 SEVENTEENTH STREET, N. W.
WASHINGTON, D C 20036-3003

WILLIAM I. SLOVER
C. MICHAEL LOFTUS
JOHN H. LE SEUR
KELVIN J. DOWD
ROBERT D. ROSENBERG
CHRISTOPHER A. MILLS
FRANK J. PERGOLIZZI
ANDREW B. KOLESAR III
PETER A. PFORL
DANIEL M. JAFFE
STEPHANIE P. LYONS
JOSHUA M. HOFFMAN

OF COUNSEL
DONALD G. AVERY

TELEPHONE:
(202) 347-7170

FAX:
(202) 347-3619

WRITER'S E-MAIL:
abkii@sloverandloftus.com

August 10, 2009

BY E-FILING

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

Re: Docket No. 42104, *Entergy Arkansas, Inc. and Entergy Services, Inc.
v. Union Pacific R.R. and Missouri & Northern Arkansas R.R. Co., Inc.*:
F.D. No. 32187, *Missouri & Northern Arkansas R.R. – Lease, Acquisition
and Operation Exemption – Missouri Pacific R.R. and Burlington N. R.R.*

Dear Ms. Quinlan:

Enclosed for filing in the above-referenced proceeding please find an Agreed-
Upon Scheduling Proposal. Thank you for your attention to this matter.

Sincerely,



Andrew B. Kolesar III
An Attorney for Entergy Arkansas, Inc.
and Entergy Services, Inc.

Enclosure

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**ENTERGY ARKANSAS, INC. and
ENTERGY SERVICES, INC., Complainants**

v.

**UNION PACIFIC RAILROAD
COMPANY and MISSOURI &
NORTHERN ARKANSAS RAILROAD
COMPANY, INC., Defendants.**

Docket No. 42104

**MISSOURI & NORTHERN ARKANSAS
R.R. – LEASE, ACQUISITION AND
OPERATION EXEMPTION – MISSOURI
PACIFIC R.R. and BURLINGTON
NORTHERN R.R.**

Finance Docket No. 32187

AGREED-UPON SCHEDULING PROPOSAL

OF COUNSEL:

**Slover & Loftus LLP
1224 Seventeenth St., N.W.
Washington, D.C. 20036
(202) 347-7170**

Dated: August 10, 2009

**ENTERGY ARKANSAS, INC. and
ENTERGY SERVICES, INC.**

**O.H. Storey
Cory R. Cahn
P.O. Box 551
Little Rock, AR 72203**

**By: C. Michael Loftus
Frank J. Pergolizzi
Andrew B. Kolesar III
1224 Seventeenth Street, N.W.
Washington, D.C. 20036**

Attorneys & Practitioners

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERGY ARKANSAS, INC. and ENTERGY SERVICES, INC., Complainants)	
)	
v.)	Docket No. 42104
)	
UNION PACIFIC RAILROAD COMPANY and MISSOURI & NORTHERN ARKANSAS RAILROAD COMPANY, INC., Defendants.)	
)	
)	
)	
)	
)	
MISSOURI & NORTHERN ARKANSAS R.R. – LEASE, ACQUISITION AND OPERATION EXEMPTION – MISSOURI PACIFIC R.R. and BURLINGTON NORTHERN R.R.)	Finance Docket No. 32187
)	
)	

AGREED-UPON SCHEDULING PROPOSAL

Entergy Arkansas, Inc. (“EAI”) and Entergy Services, Inc. (“ESI”) (collectively, “Entergy”) hereby file this Agreed-Upon Scheduling Proposal in accordance with the Board’s Decision in this proceeding served June 26, 2009. We have been authorized to represent that Defendants Union Pacific Railroad Company (“UP”) and the Missouri & Northern Arkansas Railroad Company, Inc. (“M&NA”) and Intervenor Arkansas Electric Cooperative Corporation (“AECC”) each agree to this proposal.

The parties respectfully request that the Board adopt the following schedule for this proceeding:

Nov. 18, 2009	Close of discovery
Dec. 11, 2009	Technical conference
Jan. 7, 2010	Opening Evidence and Argument (Entergy/AECC)
Feb. 12, 2010	Reply Evidence and Argument (UP/MNA)
Mar. 9, 2010	Rebuttal Evidence and Argument (Entergy/AECC)

Respectfully submitted,

ENTERGY ARKANSAS, INC. and
ENTERGY SERVICES, INC.

O.H. Storey

Cory R. Cahn


P.O. Box 551

Little Rock, AR 72203

OF COUNSEL:

Slover & Loftus LLP
1224 Seventeenth St., N.W.
Washington, D.C. 20036
(202) 347-7170

Dated: August 10, 2009

By: C. Michael Loftus 
Frank J. Pergolizzi
Andrew B. Kolesar III
1224 Seventeenth Street, N.W.
Washington, D.C. 20036

Attorneys & Practitioners

CERTIFICATE OF SERVICE

I hereby certify that I have this 10th day of August, 2009, served copies of the foregoing by email and first-class mail, postage prepaid, upon the parties of record in this case.


Andrew B. Kolesar III